

Minutes of the Fairfax County Consumer Protection Commission

September 20, 2011

7:30PM Conference 4/5
Government Center
12000 Government Center Pkwy.
Fairfax, Virginia 22035
Chairman Fee, presiding

Attendance: Commissioners: Bahhur, Bounacos, Boyd, Fee, Hargraves, Hine, Kirk, Nguyen, Martz, Stamp

Absent: Commissioners: Belkowitz, Roark, Rosier

Staff: Michael S. Liberman, Director
Cable and Consumer Services
Cynthia Tianti, Deputy County Attorney
Ellen Posner, Assistant County Attorney
Susan Hafeli, Utility Analyst, Public
Utilities Branch
Susan Jones, Branch Chief, Consumer Affairs

The meeting was called to order at 7:31 PM by Chairman Fee.

Minutes

The minutes of the August 16, 2011, meeting were approved.

Report of the Chairman

Chairman Fee had no matters to bring before the commission.

Report of the Director

Director Liberman had no matters to bring before the commission.

Commission Matters

Commissioner Hine had no matters to bring before the commission.

Commissioner Bounacos had no matters to bring before the commission.

Commissioner Kirk had no matters to bring before the commission.

Commissioner Stamp had no matters to bring before the commission.

Commissioner Bahhur had no matters to bring before the commission.

Commissioner Hargraves mentioned AT & T purchase of T-Mobil is a positive impact for consumers.

Commissioner Nguyen had no matters to bring before the commission.

Commissioner Boyd had no matters to bring before the commission.

Commissioner Martz had no matters to bring before the commission.

Old Business

There was no old business.

New Business

1. Public Hearing -Review of City of Falls Church Water System

Kirk Randall made comments to the commission.

Susan Hafeli, Utility Analyst, Public Utilities Branch, presented the Review of City of Falls Church Water System. The slide presentation showed the Falls Church water system, water rate history, planned increases, April 26 Board Directive, rationale for rate increases, compliance with principles, examples of questions, past capital improvements, planned capital improvements, consumer protection, and recommendations.

Recommendations:

Fix rates and charges for water service so that Fairfax County customers of the City's water system will not be charged rates and charges that exceed those of Fairfax Water, unless the City can demonstrate the need for higher rates and charges to the County's satisfaction; and

Establish Fairfax Water as the exclusive water service provider for all new development and redevelopment in Fairfax County, unless Fairfax Water determines that it is unable to furnish water service to a given location.

Commissioner Kirk made the motion to adopt the staff report entitled *Review of City of Falls Church Water System: Rates and Capital Improvements*.

Commissioner Martz seconded the motion.

A discussion ensued that the recommendation was the best deal for Fairfax County customers, current rates are unfair, possible regulatory fix, definition of land use law, on-going increases, lack of transparency by Falls Church, possible litigation, and Fairfax Water's ability to retrofit existing county customers.

Commissioner Hargraves recalled the motion. Commissioner Boyd seconded the motion. The motion passed unanimously.

The meeting ended at 8:38PM.